

BILL NO. Z-71-10-07

ZONING MAP ORDINANCE NO. Z- W

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. FF-1 by locating a Regional  
Shopping Center Symbol thereon.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. A Regional Shopping Center Symbol (B-2) is hereby placed south of the intersection of U. S. Highway No. 24 and State Highway No. 14 under the terms of Chapter 35, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto and by General Ordinance No. G-96; and the City of Fort Wayne Zoning Map No. FF-1, established by Section 9, Article III of said Chapter as amended, is hereby amended accordingly.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Horton G. Lipton  
Councilman

APPROVED AS TO FORM  
AND LEGALITY

[Signature]  
CITY ATTORNEY

Read the first time in full and on motion by Tipton seconded by Dunifon and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.

Date: 10-12-71 Frank H. Bonahoom  
City Clerk

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage.  
Passed (LOST) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
Adams	_____	_____	_____	_____
Dunifon	_____	_____	_____	_____
Fay	_____	_____	_____	_____
Geake	_____	_____	_____	_____
Nickols	_____	_____	_____	_____
<del>Schmidt</del>	_____	_____	_____	_____
<del>Robinson</del>	_____	_____	_____	_____
Rousseau	_____	_____	_____	_____
Steigerwald	_____	_____	_____	_____
Tipton	_____	_____	_____	_____

Date \_\_\_\_\_ City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 2- on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
City Clerk

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 12, 1971, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-71-10-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

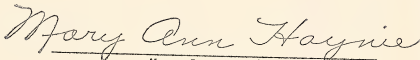
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 15, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 22, 1971.

Certified and signed this  
30th day of November 1971.

  
\_\_\_\_\_  
Mary Ann Haynie  
Secretary

Bill No. Z-71-10-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. FF-1 by locating a Regional  
Shopping Center Symbol thereon,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance be ~~PASS.~~ *with drawn*

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

DONALD J. SCHMIDT

*Robert G. Tipton*  
*Jack K. Dunifon*  
*Thomas G. Adams*  
*William K. Geake*  
*D. Schmidt*

CONCURRED IN

DATE 12-14-71 FUAD G. BONAHOOM, CITY CLERK

RECEIPT

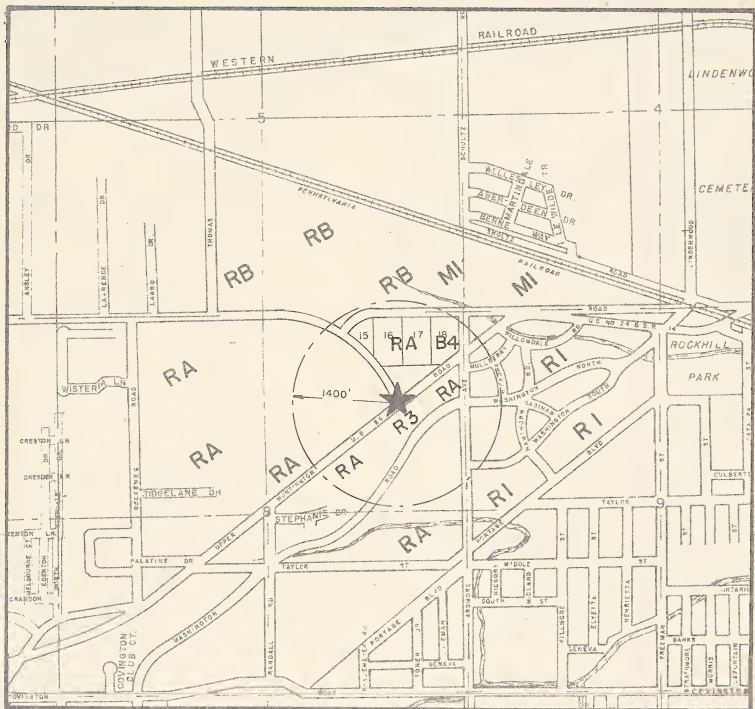
GENERAL FUND N° 97

FT. WAYNE, IND., Sept. 9 1971

RECEIVED FROM Thomas A. Hallmayer \$ 50<sup>00</sup>

THE SUM OF Fifty <sup>100</sup>/<sub>100</sub> DOLLARS

ON ACCOUNT OF Paid to rezone area on Southeast Side of Hwy #24 at intersection with State Hwy #14  
Shirley B. Huffman  
AUTHORIZED SIGNATURE



TO ESTABLISH A B2 SHOPPING CENTER SYMBOL ★

2-71-10-07

N

STATE OF INDIANA     )  
                              ) SS: BEFORE THE COMMON COUNCIL  
COUNTY OF ALLEN     ) OF THE CITY OF FORT WAYNE,  
                              ) ALLEN COUNTY, INDIANA

TO: The Common Council of the City of Fort Wayne, Allen County,  
Indiana.

The undersigned, being the owners of the following described  
property located in Allen County, State of Indiana, to-wit:

An area adjacent to and abutting the southeast side of  
U. S. Highway #24, at its intersection with State High-  
way #14.

which is now situated in an "RA" and an "R3" District, respectfully  
petitions the Common Council of the City of Fort Wayne, Allen County,  
Indiana, to change the zoning of said tract from an "RA" and an "R3"  
District to establish a "B2" Shopping Center Symbol south of the inter-  
section of said State Highway #14 and U.S. Highway #24.

Your petitioner would further show the Council that the change  
of zone would be consistent with the character of the surrounding neigh-  
borhood and would be for the best interests and the general welfare of  
the immediate community, and that said area consists of more than ten  
(10) acres in size.

WHEREFORE, your petitioner respectfully requests this Council  
to change the zoning of said tract to a "B2" Symbol.


Respectfully submitted,

  
Robert Brown

The North 204.7 fractional part of the  
East 1.32 acres, south of the Hunting-  
ton Road, Lot 18, Edsall's Subdivision  
of Lagro Reserve.

  
Jon F. Lassus

The East .72 acres of the west 1.44  
acres of Lot 18, Edsall's Subdivision  
of Lagro Reserve, south of the Hunting-  
ton Road.

  
K. M. Lassus

Dale E. Sims  
Dale E. Sims

E. J. Sims  
E. J. Sims

The west .72 acres of Lot 18, Edsall's Subdivision of Lagro Reserve, part of Lagro Reserve south of the Huntington Road.

Joel D. Fisher  
Fisher

Mary E. Fisher  
Fisher

Part of Lagro Reserve, being the west 1.76 acres of 5.08 acres on the northwest corner of the southeast 1/4 of the northeast 1/4, Section 8, Township 30 North, Range 12 East, south of the Huntington Road.

NATIONAL OIL CORPORATION

By William M. Prosser,  
Its Authorized Officer

Part of Lagro Reserve, being the east 3.32 acres of 5.08 acres on the northwest corner of the southeast 1/4 of the northeast 1/4, Section 8, Township 30 North, Range 12 East, south of the Huntington Road.

Marie L. (Hurley) McNabb  
Marie L. (Hurley) McNabb

The 2.27 acres of the southeast 1/4 of the northeast 1/4 of Section 8, Township 30 North, Range 12 East, being part of the Lagro Reserve, south of the Huntington Road.



2-71-10-07

appearance of record 22  
JACK W. LAWSON, LAWYER  
2410 FT WAYNE BANK BLD  
Phone - 742-8491  
REMONSTRANCE

The undersigned, being the owners of real estate in the immediate vicinity of the area hereinafter described, hereby remonstrate against the proposed amendment of the Zoning Ordinance of the City of Fort Wayne, which proposes to change the following described real estate:

A parcel of land located on the south side of U. S. #24 at the southern terminus of relocated S.R. #14.  
from an RA/R3 District, Residential, to a "B2" Shopping Center Symbol, for the following reasons:

1. This amendment, if granted, would constitute spot zoning.
2. The existing conditions of land use and character of buildings adjacent to the area described have not changed since the adoption of the existing ordinance.
3. The property in the vicinity and immediately adjacent is high quality residential property, the value of which will be seriously impaired by business use of the area described.
4. There is no compelling public necessity for the proposed rezoning.

NAME

ADDRESS

Robert P. Lloyd, Jr. 3838 N. Washington Rd., Ft. Wayne  
Mrs. Robert P. Lloyd 3838 N. Washington Rd. - Ft. Wayne  
Mrs. Theron E. King 3918 N. Washington Rd. - Ft. Wayne  
Sharon B. King 3918 N. Washington Rd.

NAMEADDRESS

N. J. Cook	3723 N. Wash. Rd.	Fort Wayne
Jessie Chase	4120 N. Wash. Rd.	Fort Wayne, Ind.
Allen L. Chase	4120 N. Washington Rd.	Fort Wayne, Ind.
Norma T. Beader	4015 N. Washington Rd.	Fort Wayne
Mary M. Downing	4001 N. Washington Rd.	Fort Wayne
Edward D. Downing	4001 N. Washington Rd.	Fort Wayne, Ind.
Mrs. H. J. Dancus	3941 N. Wash. Rd.	Fort Wayne, Ind. 46804
Stener G. Zimmerman	3812 No. Washington Rd.	Fort Wayne, Ind.
Sue Zimmermann	3812 No. Washington Rd.	Fort Wayne, Ind.
Helen H. Miller	3811 N. Washington Rd.	Fort Wayne, Ind.
Philip H. Hark	3830 N. Washington Road.	Fort Wayne, Indiana
Carolyn Kay Hark	3830 N. Washington Rd.	Fort Wayne, Indiana
Mrs. A. O. Hastings	3729 Mulberry Rd.	Fort Wayne, Ind.
Virginia M. Miller	1517 Redmore Ave.	46804
John H. Miller	" " "	" "
Margaret A. MacDowall	1521 Ardmore Ave.	
Thomas Hayes	3734 No. Wash. Rd.	
Sprio Hayes	3734 No. Wash. Rd.	
W. L. Scheiman	3727 N. Wash. Rd.	
Florence W. Prentice	3717 No. Washington Rd.	
S. L. Prentice	3717 No. Washington Rd.	

<u>Name</u>	<u>Address</u>
Mrs D. H. Spears	3802 N Washington Rd
Dorothy E. Hayes	3939 N. Wash. Rd.
John Hayes	3939 N. Wash. Rd.
Thomas W. Beadie	4015 N. Washington Rd.
Janet French	3901 N Washington Rd.
Hannah E. Zacher	3801 N. Washington Rd.
Eula P. McKee man	1615 Ardmore Ave
Dora A. McKee man M.D.	1615 Ardmore Ave
C. Terrance Kitch	1616 Ardmore Ave.
Norine Kitch	1616 Ardmore Ave.
William B. Merrill	1516 Ardmore Ave
Helen C. Merrill	1516 Ardmore Ave
John B. Kelt	3720 Mulberry Rd.
Judith A. Kelt	3720 Mulberry Rd.
Howard R. Miller	3710 Mulberry Rd.
Marguerite D. Miller	3710 Mulberry Rd.
Mrs. Carl E. Lipp	1414 Hickory
Mrs Robert H. Hill	1415 Hickory
Mrs R. Robert Hill	1415 Hickory
Edna B. Hill	1505 Hickory
Mrs. Clarence C. Emerson	1505 Hickory

Name  
Mrs. Richard M. Kent

Address  
1515 Hickory St.

3539 N. Wash. Rd

Daisy Dean Gubali

~~26 Hickory~~

~~Franklin Rd~~

J. J. Bousch

1412 Hawthorn Rd.

John A. Dickmeyer  
Forest McLeod

3421 Willowsdale

3410 Willowsdale Rd.

Mrs. Eugene Nelson

3538 Willowsdale Rd.

Shirley W. Weyer

3540 Willowsdale Rd

X Mrs. Charles O. Fleming

3610 Mulberry

person's work - vision problem  
not near & party stayed.

Mrs. Lyall D. Morris

3704 Mulberry Rd.

Mr. Gordon Graham

1520 Hickory St

Mrs. Herbert W. Hendline

3710 N. Washington Rd

David Sallett

3526 N. Washington Rd.

Don Jones

3424 N. Washington Rd

Myrna M. Nelson

3408 N. Washington Rd.

Gordon D. Nelson

3408 N. Washington Rd.

Richard E. Lunsen

3740 N. Washington Rd

Louise Bonsub

3322 N. Washington Rd

Audrey A. Witters

3401 N. Washington Rd.

NAMEADDRESS

Mrs. Forrest McClell	3410 Willowdale Rd.
Mrs. Alex S. Harris	3502 Postage Blvd
Rev. Tom Haley	3404 Postage Blvd.
Mrs. Melba Kelley	3401 Willowdale Rd.
Mrs. Dorothy Boger	3434 Willowdale Rd.
Mrs. Ther. Anne	3524 N. Wash. Rd.
Mrs. John Dickmeyer	3421 Willowdale Road
Mrs. Barbara Beall Hanna	3429 Willowdale Rd.
Mrs. Charles L. Beall	3429 Willowdale Rd.
Mrs. F. J. McDiarmid	3455 So. Washington Rd.
Mrs. Gordon Graham	1520 Hickory St.
Mrs. Robert Koerber	3471 S. Washington Rd
Mrs. Charles Monger	3535 Willowdale Rd.
Mrs. Charles Seyferth	3650 N. Washington Rd.
Mrs. Maurice C. Helsel	3215 N. Washington Rd.
Mrs. Elmer R. O'Keefe	1308 Goodwin Lane
Mrs. Hans Junch	3901 N. Washington Rd.
Mrs. John H. Kenney	1505 Hawthorne Rd.
Arthur K. Silletto	3526 N. Washington Rd.
Mrs. Donald H. Jones	3424 N. Washington Rd.
Mrs. Richard C. Russell	3340 N. Washington Rd.
Mrs. C. Lockwood Marine	3521 Saginaw Drive

<u>Name</u>	<u>Address</u>
Mrs. H. E. Cole	3518 N. Washington Rd.
Mrs. Marion A. Peterson	3702 N. Washington Rd.
Mrs. N. L. Salen	3505 N. Washington
RO Dugg	3515 N. Washington
Mrs. David Kavin	3433 N. Washington Rd.
Mrs. Carl Schiester	3701 N. Washington Rd.
Mrs. John Jessup	3232 N. Washington Rd.
Mrs. Michael McInley	3233 N. Washington Rd.
Mrs. Theodore Bentler	3505 S. Washington
Mrs. George Crohan	1510 Freeman Ave.
Mrs. Duane C. Lyke	1407 Hawthorne Road
Mrs. Edw. H. Russell	3550 Willowdale Road
Mrs. Phillip N. Hays	3540 Willowdale Road
Mrs. Mary H. Brand	3466 S. Washington Rd.
Mrs. Margaret Perfect	1611 Hawthorne Rd.
Mrs. Lewis F. Ross	3519 S. Washington Rd.
Mrs. Edwin Walder	1625 Hawthorne
Mrs. Tony Bruggenian	4202 N. Washington Rd.
Mrs. Richard Van Hulme	1616 Hawthorne Rd.
Mrs. J. C. Kramer, Jr.	3601 Oakbury Rd.
Mrs. Ralph Barrett	1703 Hawthorne Rd.
Mrs. John Bernickin	1412 Hawthorne Rd.

Name

Address

Mrs Maurice E. Glock

1502 Hawthorne Rd

Mrs. John H. Johnson

1578 Hawthorne Road

Mrs. A. W. Hittler, Jr

3404 So. Washington Road

Mrs. Carroll Huntley

3601 No. Wash. Rd.

Mrs. Edward B. Park

3333 So. Washington Rd

Mrs. Wade J. Hays

1702 Hawthorne Road

Mrs. Lloyd E. Beatty

1712 Hawthorne Road

Sue Muller nup

3434 Portage

Mrs. Doyal White

1815 Hawthorne Rd.

Mrs. Robert H. Chase

1914 Hawthorne Road

Mrs. Cal. Brenn.

3605 So. Washington Rd.

Mrs. Raymond West

3586 Sogomon Cr.

Mrs. Sal Kadis

3701 S. Washington Rd.

Mrs. Richard George

3737 So. Washington Rd.

William Frobenius

3723 So. Washington Rd

Sal Kadis.

3701 S. Washington Rd.

Don F. York

3544 S. Washington Rd

Mrs. Barbara R. Davis

3525 S. Washington Rd.

Ms. J. J. Durand

3455 S. Washington Rd

Mrs. Dale W. McMillen

3415 S. Washington Rd.

Frank Williams

3315 S. Wash. Rd

NAMEADDRESS

Howard A. Watters

3401 N. Washington Rd.

Margaret O. West

3945 N. Washington Road

Carolyn M. Cole

1321 Maple Ave (owner at 3900 N. Wash. Rd.)

~~James J. Cole~~

1321 Maple Ave (owner at 3910 N. Wash. Rd.)

N. C. Laycock

3525 N. Washington Rd.

Ruth E. Laycock

3525 N. Washington Rd

T. V. Beutler

3505 S. Washington Rd.

Richard N. Kautan

1515 Hickory St

Carroll W. Huntley

3601 N. Wash. Rd.

John M. Jessup

3232 N. Wash. Rd.

Carl F. Moore

3210 N. Washington Rd

Audrey S. Mopats

3210 N. Washington Rd.

D. Jack Westerman

3240 N. Washington Rd

Mrs. Jack Westerman

3240 N. Washington Rd.

Mrs. D. D. Weaver

3117 Mulberry Rd

D. Weaver

3717 Mulberry Road

M. E. Glorke

1502 Hawthorne

G. J. James

3601 Mulberry Rd.

G. J. James



LAW OFFICES

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

SOL ROTHBERG  
THOMAS A. GALLMEYER  
GEORGE E. FRUECHTENICHT  
THOMAS D. LOGAN  
PHILLIP E. GUTMAN  
JOHN H. HEINEY  
VERN E. SHELDOON  
F. WALTER RIEBENACK  
DONALD M. AIKMAN  
MARTIN T. FLETCHER  
DAVID A. TRAVELSTEAD

AREA CODE 319  
TELEPHONE 422-9454

INDIANA BANK BUILDING  
FORT WAYNE, INDIANA  
46802

November 23, 1971

Fort Wayne City Council  
City-County Building  
Fort Wayne, Indiana

Attention: Mr. Herbert Tipton, Chairman  
Regulations Committee

Re: Proposed Zoning Ordinance No. Z-71-10-07  
Hearing -- November 15, 1971,  
City Plan Commission  
Establish a "B2" Shopping Center Symbol  
at U. S. #24 and S. R. #14.

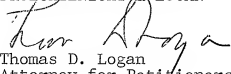
Gentlemen:

This letter is to formally request that the application detailed above be formally withdrawn from any further consideration and that the Committee on Regulations request that the Common Council formally note that the petitioners have requested that the application for a Shopping Center Symbol be withdrawn.

With our thanks for your cooperation, we are

Cordially yours,

ROTHBERG, GALLMEYER,  
FRUECHTENICHT & LOGAN

  
Thomas D. Logan  
Attorney for Petitioners

TDL/jap